

COMMITTEE ON LAND USE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Milton Farley, District No. 1

A **meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, met on **Monday, December 8, 2003**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:26 p.m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Acting Chairman; Mr. William E. Crosby, Council Member District No. 3; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Milton Farley, Council Member District No. 1, Chairman, and Mr. Charles E. Davis, Council Member District No. 4, were excused from the meeting.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Acting Chairman Spooner called the meeting to order and asked for approval of minutes from the Committee on Land Use Meeting held November 10, 2003.

APPROVAL OF MINUTES

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

A. Ms. Cindy Forte, Berkeley County Register of Deeds, Re: Additional personnel for department.

Ms. Cynthia Forte stated one additional Administrative Specialist 2 (same title as other staff in Register of Deeds Office) was needed in the Register of Deeds' Office. Total collections had increased approximately \$700,000 when compared to collections this date in 2002. In addition, total transactions had increased from 18,990 in 2002, to 24,587 processed transactions to-date this year. The department dealt with a constant backlog, high overtime rate, and a difficult leave policy brought about by the increased workload. The need for additional personnel was not anticipated during preparation of the fiscal year budget, as was the inability to anticipate such high departmental revenues

thus far this year. Also, due to limited space in the department, additional personnel was not sought.

Council Member Fish asked if an additional employee would reduce the amount of overtime, currently at 189 plus, hours, considering a full-time employee would work approximately 187 hours.

Ms. Forte responded that, hopefully, overtime would not be incurred. Although, it was necessary for employees to remain in the office in order to complete transactions daily.

Supervisor Rozier stated 73 percent of Ms. Forte's overtime was in the "under 30 minute range, or less, area", indicating the completion of transactions daily.

Supervisor Rozier continued by stating a report was being prepared for presentation to Council next week, wherein, it would reflect the depletion of contingency funds.

It was moved by Council Member Mims and seconded by Council Member Crosby to forward to the Finance Committee Ms. Forte's request for one additional Administrative Specialist 2, in the amount of \$18,325.03 from contingency through June 26, 2004. The motion was passed by unanimous voice vote of the Committee.

B. Consideration prior to First Reading of the following:

1. Request by Kenneth Dangerfield, 130 Oakley Road, Moncks Corner, TMS #180-00-01-048, (1.04 acres) from R-2, Manufactured Residential District, to GC, General Commercial District. Council District 6.

Mr. Harold LeaMond stated this property was the last piece of property owned by Mr. Dangerfield, and it was at the intersection. The majority of property in this area was already zoned General Commercial.

It was moved by Council Member Mims and seconded by Council Member Steve Davis to send the request by **Kenneth Dangerfield** forward to Council for First Reading. The motion was passed by unanimous voice vote of the Committee.

2. Request by Ralph Atkinson, Jessen Lane, Cainhoy, TMS #267-00-00-089, (1 lot), from HI, Heavy Industrial District, to GC, General Commercial District. Council District 7.

Mr. LeaMond stated this property was a piece of the old railroad right-of-way the Port's Authority had obtained in the Cainhoy Area. The property had since been transferred back to the original owner.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to send the request by **Ralph Atkinson** forward to Council for First Reading. The motion was passed by unanimous voice vote of the Committee.

3. Request by Clements Ferry Development Partners, Clements Ferry Road, Cainhoy, TMS #271-00-02-053, (24.98 acres) from PDMU, Planned District Mixed Use, to R-1, Single Family Residential. Council District 8.

Mr. LeaMond stated this property was on Highway 33, at the intersection of Sander's Farm Road. It was a wooded area. Plans were to use the property as Single Family only. To avoid initiating the 90-day process necessary for PDMU, the owners chose to zone it for what the use would be at this time. Eighty-eight lots would be allowed in this development.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to send the request by **Clements Ferry Development Partners** forward to Council for First Reading. The motion was passed by unanimous voice vote of the Committee.

4. Request by Elizabeth Brown, 1535 Rose Drive, Summerville, TMS #221-00-00-087, (3.06 acres), from R-1MM, Multi Unit Manufactured Residential, to GC, General Commercial District. Council District 4.

Mr. LeaMond referred to a map, pointing out the highlighted area of the property, along with the intersection of Rose Boulevard, 17A and I-26. He stated there were two lots already zoned General Commercial, but this property was not "contiguous", so there was a concern with "spot zoning". The property owner was to talk with other property owners in this area to address the spot zoning issue.

Supervisor Rozier recommended that the **request for Elizabeth Brown be held in Committee** to grant this property owner an opportunity to talk with other property owners in the surrounding area. The Committee was in agreement with this recommendation.

5. Request by Miles Martschink, 122 Sawgrass Avenue, Goose Creek, TMS #235-01-01-001, (20 acres) from HI, Heavy Industrial District, to LI, Light Industrial District. Council District 3.

Mr. LeaMond stated the location of Holly Court Subdivision off of Medway Road. In leaving Goose Creek on Highway 52 and passing Montague Plantation Road, there were 20 acres adjacent to a retread facility (wooden building). The owner planned a small industrial park of approximately two – three acres (for businesses such as HVAC Dealers, versus heavy industrial use).

It was moved by Council Member Crosby and seconded by Council Member Fish to send the request by **Miles Martschink** forward to County Council for First Reading. The motion was passed by unanimous voice vote of the Committee.

C. Review prior to Second Reading of the following:

1. Bill No. 03-77, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Johnnie Capers**, Highway 27 near I-26, Ridgeville, TMS# 175-00-02-008, (10-acre portion, 26.49 acres total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District 7.

It was moved by Council Member Pinckney and seconded by Council Member Mims to forward **Bill No. 03-77** to County Council for Second Reading. The motion was passed by unanimous voice vote of the Committee.

2. Bill No. 03-78, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Emmerline Limehouse**, 1237 Umbria Road, Moncks Corner, TMS# 164-00-03-062, (2.8 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District 8.

Mr. LeaMond stated that the correct acreage was a .02-acre portion of the 2.8 acres, as amended in the Committee on Land Use Meeting held November 10th.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to forward **Bill No. 03-78**, amended to reflect a .02-acre portion, to County Council for Second Reading. The motion was passed by unanimous voice vote of the Committee.

D. Review prior to Third Reading of the following:

1. Bill No. 03-63, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Gerald Morgan**, 1147 College Park Road, Summerville, TMS # 222-00-00-067, (21.59 acres), **from R-3, Mobile Home Park District, (6.97 acre portion), and R-1, Single Family Residential District, (14.62 acre portion), to GC, General Commercial District, (6.97 acre portion), and R-3, Mobile Home Park District, (14.62 acre portion)**. Council District 4.

It was moved by Council Member Fish and seconded by Council Member Pinckney to send **Bill No. 03-63** forward to Council for Third Reading. The motion was passed by unanimous voice vote of the Committee.

2. **Bill No. 03-64**, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Eugene and Alesia Burns**, 152 Summer Lane, Summerville, TMS# 196-09-01-028, (6.08 acres), **from R-2, Manufactured Residential District, to R2-RF, Mobile Home Rural Farm Residential District**. Council District 6.

It was moved by Council Member Fish and seconded by Council Member Steve Davis to send **Bill No. 03-64** forward to Council for Third Reading. This motion was passed by unanimous voice vote of the Committee.

3. **Bill No. 03-65**, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Leslie B. Dyches**, 1563 Ranger Drive, Cross, TMS# 065-00-00-088, (3.87 acres), **from GC, General Commercial District, to F-1, Agricultural District**. Council District 7.

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to send **Bill No. 03-65** forward to Council for Third Reading. The motion was passed by unanimous voice vote of the Committee.

4. **Bill No. 03-66**, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Clouter Point & Clements Ferry Properties, LLC**, Clements Ferry Road, Wando, TMS# 271-00-01-035, (50.29 acres), **from LI, Light Industrial District, to GC, General Commercial District**. Council District 8.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to send **Bill No. 03-66** forward to County Council for Third Reading. The motion was passed by unanimous voice vote of the Committee.

5. **Bill No. 03-74**, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **CDJ, Inc.**, 591 College Park Road, Ladson, TMS# 242-04-01-046, (1 lot), **from R-1, Single Family Residential District, to GC, General Commercial District**. Council District 5.

It was moved by Council Member Fish and seconded by Council Member Crosby to send **Bill No. 03-74** forward to Council for Third Reading. The motion was passed by unanimous voice vote of the Committee.

6. **Bill No. 03-75**, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jimmie Green**, et al, Harvest Time Place, Wando, TMS# 271-00-02-022, (2.6 acres), **from R-1MM, Multi-Section Residential District, to GC, General Commercial District**. Council District 8.

Mr. LeaMond stated the owner had agreed to widen the buffer to 50 feet, versus the normal requirement of 25 feet associated with General Commercial. This would be reflected on the site plan, as buffers were not recorded on plats.

Council Member Steve Davis stated his concern with regard to whether consideration had been given to a 75-foot buffer, versus 50 feet.

Mr. Bart Langlois, representing Mr. Jimmie Green, stated he had spoken with the user of this property, and the user could not agree to a 75-foot buffer, only 50 feet. From the 50-foot buffer, Mr. Langlois thought it was required that an additional 25-foot set-back be added, creating a 75-foot span between any building.

Supervisor Rozier stated the County required the 25-foot set-back to be included in the 50-foot buffer.

Mr. Langlois stated the 50-foot buffer would remain residential with no future development.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to send **Bill No. 03-75** forward to Council for Third Reading. The motion was passed by unanimous voice vote of the Committee.

It was moved by Council Member Steve Davis and seconded by Council Member Crosby to adjourn the Committee on Land Use Meeting. This motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:54 p.m.

January 12, 2004
Date Approved

COMMITTEE ON LAND USE
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Chairman: Mr. Milton Farley, District No. 1

Members: Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **Meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, will be held on **Monday December 8, 2003**, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Water and Sanitation, the Committee on Planning and Development, the Committee on Public Works and Purchasing, the Committee on Community Services and the Committee on Human Services at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

November 10, 2003

A. Ms. Cindy Forte, Berkeley County Register of Deeds, Re: Additional personnel for Department.

B. Consideration prior to First Reading of the following:

1. Request by Kenneth Dangerfield, 130 Oakley Road, Moncks Corner, TMS #180-00-01-048, (1.04 acres) from R-2, Manufactured Residential District, to GC, General Commercial District. Council District 6.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission]

2. Request by Ralph Atkinson, Jessen Lane, Cainhoy, TMS #267-00-00-089, (1 lot), from HI, Heavy Industrial District, to GC, General Commercial District. Council District 7.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission]

3. **Request by Clements Ferry Development Partners**, Clements Ferry Road, Cainhoy, TMS #271-00-02-053, (24.98 acres) **from PDMU, Planned District Mixed Use, to R-1, Single Family Residential**. Council District 8.

[Recommended **approval** by Staff]

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4. **Request by Elizabeth Brown**, 1535 Rose Drive, Summerville, TMS #221-00-00-087, (3.06 acres), **from R-1MM, Multi Unit Manufactured Residential, to GC, General Commercial District**. Council District 4.

[Recommended **denial** by Staff]

[Recommended **denial** by Planning Commission]

5. **Request by Miles Martschink**, 122 Sawgrass Avenue, Goose Creek, TMS #235-01-01-001, (20 acres) **from HI, Heavy Industrial District, to LI, Light Industrial District**. Council District 3.

[Recommended **approval** by Staff]

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C. **Review prior to Second Reading** of the following:

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Alesia Burns, 152 Summer Lane, Summerville, TMS# 196-09-01-028, (6.08 acres), **from R-2, Manufactured Residential District, to R2-RF, Mobile Home Rural Farm Residential District.** Council District 6.

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[Recommended **approval** by Staff]

[Recommended unanimous **denial** by Planning Commission]

December 3, 2003
S/Barbara B. Austin
Clerk of County Council